



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

November 14, 2008

OFFICE OF
AIR AND RADIATION

John Engler, President and CEO
National Association of Manufacturers
1331 Pennsylvania Avenue, NW
Washington, DC 20004-1790

Dear Governor Engler,

Thank you for your letter of November 3, 2008, to Administrator Stephen Johnson in which you request an extension of the comment period for EPA's Advance Notice of Proposed Rulemaking (ANPR) for Control of Greenhouse Gas Emissions for 45 days beyond the current deadline of November 28, 2008 (73 Federal Register 44354). I appreciate your recognition of the scope and complexity of the ANPR and of its potential value for future policy development. The Administrator asked that I respond on his behalf.

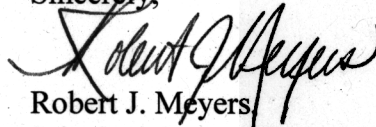
Because of the number of important legal, policy and technical issues addressed in the ANPR, the Agency provided a relatively long period for public comment on this document -- 120 days. This exceeds the comment period for most EPA rulemakings. In addition, since the ANPR was posted on the EPA website immediately after it was signed by the Administrator on July 11, 2008, approximately two weeks were available for interested parties to access and review the ANPR.

EPA recognizes that the ANPR, the associated Technical Support Documents and the additional technical analysis contained in the docket may have taken considerable time to review. EPA also recognizes that the ANPR discusses many complex legal issues associated with the regulation of GHGs under different Clean Air Act authorities. It is necessary, however, that the Agency balance any request for an extension of the comment period with our obligation to respond to the remand in *Massachusetts v. EPA* as well as in light of other pending petitions and litigation. Given these considerations and the substantial comment period already afforded, we therefore do not intend to extend the date of the formal comment period past the November 28th deadline.

However, the closure of the formal comment period on the ANPR is not the end of the dialogue or the opportunity to provide input on these important issues. We will continue to post "late" comments to the docket. Moreover, if EPA decides to move forward with a rulemaking or other actions under the Clean Air Act, EPA may use as a resource the entire docket, including late comments. Accordingly, we encourage you to submit any comments you wish to EPA to consider as soon as possible. In addition, there would be an opportunity to comment on any proposed rule.

Thank you for your interest in supporting our efforts to provide a comprehensive and inclusive response to the many issues raised by the ANPR.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert J. Meyers", written over the printed name.

Robert J. Meyers
Principal Deputy Assistant Administrator